

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

PLATTE VALLEY BANK, a)	
Nebraska State Bank,)	
)	
Plaintiff,)	8:10CV59
)	
v.)	
)	
TETRA FINANCIAL GROUP, LLC, a)	ORDER
Utah Limited Liability)	
Company, and REPUBLIC BANK,)	
INC., a Utah corporation,)	
)	
Defendants.)	
_____)	

This matter is before the Court on defendants Tetra Financial Group, LLC, and Republic Bank, Inc.'s motions for order of contempt and to impose sanctions (Filing Nos. [69](#) and [71](#)) and on the parties joint stipulation to take deposition and issue subpoena for production (Filing No. [100](#)). In the motions for contempt, defendants sought to hold Justin Heggem and Hina Heggem in contempt for failing to attend their respective depositions scheduled for September 24, 2010. In the joint stipulation, the parties disclosed that the depositions for Justin Heggem and Hina Heggem took place on November 4, 2010 (Filing No. [100](#), ¶ 1). Upon consulting with defendants' counsel, the Court finds the motions for contempt should be denied without prejudice. Accordingly,

IT IS ORDERED:

1) Defendants' motions for order of contempt and to impose sanctions (Filing Nos. [69](#) and [71](#)) are denied without prejudice; and

2) The parties joint stipulation to take deposition and issue subpoena for production (Filing No. [100](#)) is approved and adopted; defendants may take the deposition of Frederick Friend on November 22, 2010, and may issue a subpoena for production to Premier Steel.

DATED this 18th day of November, 2010.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court